

COPY

DECLARATION FOR PATENT APPLICATION

Docket No. 98-180/102

As an inventor named below, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL ADJUVANTS IN VERTEBRATE SUBJECTS, the specification of which

(check one) ☐ is attached hereto.

☒ was filed on October 8, 1998 as Application Serial No. 09/168,910 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations 1.56(a). In compliance with this duty, an Information Disclosure Statement in accordance with Title 37, Code of Federal Regulations 1.97

☐ is attached hereto.

(check one) ☒ will be submitted later (if necessary).

☐ was filed with patent application

I hereby claim priority benefits under Title 35, United States Code 119, of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s)			Priority Claimed	
			Yes	No
<u>None</u>				
(Number)	(Country)	(Day/Month/Year Filed)		
			Yes	No
(Number)	(Country)	(Day/Month/Year Filed)		
			Yes	No
(Number)	(Country)	(Day/Month/Year Filed)		

I hereby claim the benefit under Title 35, United States Code 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations 1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>None</u>		
(Application Serial No.)	(Filing Date)	(Status--patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status--patented, pending, abandoned)

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard E. Jenkins (Registration No. 28,428); Jennifer L. Skord (Registration No. 30,687); Jeffrey L. Wilson (Registration No. 36,058); Arles A. Taylor, Jr. (Registration No. 39,395); and/or Gregory A. Stephens (Registration No. 41,329).

Address all telephone calls to Richard E. Jenkins or Jennifer L. Skord or Jeffrey L. Wilson or Arles A. Taylor, Jr., or Gregory A. Stephens at telephone number (919) 493-8000.

Address all correspondence to:

Jenkins & Wilson, P.A.
Suite 1400 University Tower
3100 Tower Boulevard
Durham, North Carolina 27707

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Herman F. Staats
Inventor's signature [Signature] Date 12-22-98
Residence Durham, North Carolina Citizenship USA
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Full name of second joint inventor, if any Barton F. Haynes
Inventor's signature [Signature] Date 12-28-98
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Full name of third joint inventor, if any Dhaval Kumar D. Patel
Inventor's signature [Signature] Date 12/22/98
Residence Durham, North Carolina Citizenship USA
PostOfficeAddress 3012 Deerpark Wynd
Durham, North Carolina 27712

Full name of fourth joint inventor, if any Gregory D. Sempowski
Inventor's signature [Signature] Date 12/22/98
Residence Durham, North Carolina Citizenship USA
PostOfficeAddress 3011 Applling Way
Durham, North Carolina 27703

ASSIGNMENT

WHEREAS, we, Herman F. Staats, of Durham, North Carolina, and Barton F. Haynes, of Durham, North Carolina, Dhavalkumar D. Patel of Durham, North Carolina, and Gregory D. Sempowski of Durham, North Carolina (hereinafter "Assignors"), have invented certain new and useful improvements in SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL ADJUVANTS IN VERTEBRATE SUBJECTS for which we made application for Letters Patent of the United States on October 8, 1998, Serial No. 09/168,910.

AND, WHEREAS, Duke University, a non-profit organization located at Durham, North Carolina, (hereinafter "Assignee"), is desirous of acquiring an interest therein.

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors have sold and by these presents do hereby sell, assign, transfer and convey unto the said Assignee, its successors and assigns, their entire right, title and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with their right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this assignment and sale had not been made.

Assignors hereby request that said Letters Patent be issued in accordance with this assignment.


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Assignors further covenant and agree that, at the time of the execution and delivery of these presents, Assignors possess full title to the invention and application above-mentioned, and that they have the unencumbered right and authority to make this assignment.

Assignors further covenant and agree, and likewise bind their heirs, legal representatives and assigns, to promptly communicate to said Assignee or its representatives any facts known to them relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the Assignee, its representatives, successors and assigns to secure patent or similar protection for the said invention in all countries and to vest in the Assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said Assignee, its successors, assigns and other legal representatives.

Executed this 22 day of December, 1998.


Herman F. Staats

Witnessed by:

Joyce McWhorter 12/22/98
Name Date

Jane Glenn 12/22/98
Name Date

Executed this 29th day of December, 1998.

Barton F. Haynes
Barton F. Haynes

Witnessed by:

Paul A. Thacher II 12/29/98
Name Date

Jack W. Lowery 12/29/98
Name Date

Executed this 22nd day of December, 1998.

D Patel
Dhavalkumar D. Patel

Witnessed by:

Angela Jordan-Hamilton 12/22/98
Name Date

Karen A. Greenleaf 12/22/98
Name Date

Executed this 22nd day of December, 1998.

Gregory D. Schipowski
Gregory D. Schipowski

Witnessed by:

Angela Jordan-Hamilton 12/22/98
Name Date

Karen A. Greenleaf 12/22/98
Name Date